

HOUSE BILL NO. 162

INTRODUCED BY T. HENRY

BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A SCHOOL DISTRICT TO RETAIN CERTIFIED COPIES OF IMMUNIZATION RECORDS OF CHILDREN WHO HAVE TRANSFERRED TO ANOTHER SCHOOL DISTRICT; AND AMENDING SECTION 20-5-403, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-5-403, MCA, is amended to read:

"20-5-403. Immunization required -- release and acceptance of immunization records. (1) The governing authority of any school other than a postsecondary school may not allow ~~any a~~ person to ~~commence attendance~~ attend as a pupil unless the person:

(a) has been immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles (rubeola) in the manner and with immunizing agents approved by the department, except that pertussis vaccination is not required for a person 7 years of age or older;

(b) has been immunized against Haemophilus influenza type "b" before enrolling in a preschool if under 5 years of age;

(c) qualifies for conditional attendance; or

(d) files for an exemption.

(2) (a) The governing authority of a postsecondary school may not allow ~~any a~~ person to ~~commence attendance~~ attend as a pupil unless the person:

(i) has been immunized against rubella and measles (rubeola) in the manner and with immunizing agents approved by the department; or

(ii) files for an exemption.

(b) The governing authority of a postsecondary school may impose immunization requirements as a condition of attendance that are more stringent than those required by this part.

(3) A pupil who transfers from one school district to another may photocopy immunization records in the possession of the school of origin. The school district to which a pupil transfers shall accept the photocopy

1 as evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of origin,
2 the school shall retain a certified copy for the permanent record and send the original immunization records for
3 the pupil to the school district to which the pupil transfers."

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